

**REMARKS**

Claims 1-23 are all the claims pending in the application.

The Examiner is respectfully requested to return a signed and initialed Form PTO/SB/08 A & B (modified) filed with Applicants' IDS on February 21, 2007, indicating that the listed documents have been considered and made of record.

**I. Response to Rejection of Claims 1 and 22 under 35 U.S.C. § 112, second paragraph**

Claims 1 and 22 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, the Examiner asserts that Applicants' claims fail to limit the compound being described.

Applicants respectfully traverse the rejection.

To meet the requirements of § 112, second paragraph, the claims must be sufficiently definite for one to reasonably determine their scope. MPEP § 706.03(d).

As currently written, the limitations of claims 1 and 22 are definite. For example, claims 1 and 22 recite a compound represented by a General Formula (I), where R, X, Y and n are defined in the claim. In addition, a more detailed description regarding General Formula (I) can be found on pages 1-26 of the specification. Further, specific examples of the compound are set forth, for example, on pages 28-29 of the specification. Therefore, one of skilled in the art would be apprised of the scope of the invention.

Accordingly, the claims comply with §112, second paragraph.

**II. Response to Rejection of Claims 1-23 under 35 U.S.C. § 103(a)**

Claims 1-19 and 21-23 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Aono (US 2003/0235707) in view of Ota et al. (US 2002/0075369).

In addition, claim 20 is rejected under 35 U.S.C. § 103(a) as allegedly being

unpatentable over Aono in view of Ota et al., and further in view of Miyabashi (US 2002/0077385).

Applicants respectfully traverse the rejection.

It is respectfully submitted that Aono is effective as a §102(e) reference as of its April 11, 2003 filing date and a §102(a) reference as of its December 25, 2003 publication dated. The filing date of the priority document for the present application is January 31, 2003, which is before the §102(e) and (a) dates of Aono.

Therefore, Applicants submit herewith a sworn English translation of the priority document JP 2003-24004 supporting the elements of the present claims to remove Aono as a reference. *See* claims, [0003], [0021] - [0047], [0050] - [0051, [0059], [0063], [0064], [0073], and Examples.

In addition, Ota and Miyabashi do not disclose the compound represented by General Formula (I) of claim 1.

In view of the above, it is respectfully requested that Aono be removed as a reference, and that the foregoing rejection be withdrawn.

### **III. Conclusion**

For the foregoing reasons, reconsideration and allowance of claims 1-23 is respectfully requested.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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